IN THE DRAWINGS

The attached sheet of drawings includes changes to Fig. 3A. This sheet, which includes Fig. 3A, replaces the original sheet including Fig. 3A.

Attachment: Replacement Sheet

REMARKS/ARGUMENTS

Favorable reconsideration of this application as presently amended and in light of the following discussion is respectfully requested.

Claims 41-56 and 85-95 are currently active in this case, Claims 41, 44, 50-51, 54 and 56 amended, and Claims 85-95 added by way of the present amendment.

In the outstanding Official Action, the Information Disclosure Statement filed February 2, 2006 was objected to and was not fully considered; the drawings were objected to; Claims 50-52 were rejected under 35 U.S.C. § 112, second paragraph; Claims 41-46, 48, 54 and 56 were rejected under 35 U.S.C. § 103 as being unpatentable over WO00/13219 to Saito et al. in view of U.S. Patent No. 6,120,640 to Shih et al.; Claim 47 was rejected under 35 U.S.C. § 103 as being unpatentable over Saito et al. and Shih et al., and further in view of U.S. Patent No. 5,885,402 to Esquibel; Claims 49-51 and 53 were rejected under 35 U.S.C. § 103 as being unpatentable over Saito et al. and Shih et al., and further in view of U.S. Patent Publication No. 2002/0177001 to Harada et al.; Claims 50-53 were rejected under 35 U.S.C. § 103 as being unpatentable over Saito et al. and Shih et al., and further in view of JP 10004083 to Yumiko et al.; Claim 54 was rejected under 35 U.S.C. § 103 as being unpatentable over Saito et al. and Shih et al., and further in view of U.S. Patent No. 5,521,790 to Ruckel et al.; Claim 55 was rejected under 35 U.S.C. § 103 as being unpatentable over Saito et al. and Shih et al., and further in view of Harada or U.S. Patent No. 6,068,729 to Shrotriya (inadvertently cited as 5,366,585 to Robertson); and Claims 41, 46 and 48-53 were provisionally rejected for non-statutory double patenting over Claims 1, 6-13, 21 and 26-30 of U.S. Patent Application 10/811,912 to Fink et al. in view of Saito et al.

First, Applicants wish to thank Examiner Dhingra and Supervisory Patent Examiner (SPE) Hassanzadeh for the March 30, 2006 personal interview at which time the outstanding issues in this case were discussed. During the discussion, Applicants presented amendments

and arguments substantially as indicated in this response. While no formal agreement was reached, the Examiners did not react unfavorably to the proposed claim amendments, and indicated that such amendments may result in allowable subject matter.

Regarding the three documents not considered in the February 2, 2006 IDS, as discussed in the March 30 interview, these documents are production drawings for system parts that may have been sold in the United States more than one year prior to the filing date of the present application. Thus, Applicants submit these production drawings for the Examiner's consideration as possible 102(b) "on sale" prior art. As also explained in the March 30 interview, the drawings are confidential and are therefore redacted to delete certain dimensions and notes, but leave the general shape of the part and any coating information available for the Examiner's consideration. The first drawing is for a deposition shield having surfaces that are machined after anodization. The second drawing is an upper electrode having surfaces that are machined after anodization and the third drawing is an upper deposition shield having an alumite coding. Thus, none of these drawings are for an insert for a deposition shield, which is the subject of the claims in this case. Applicants respectfully request consideration of these documents, and acknowledgement of such consideration on the attached PTO form 1449, which also cites additional references.

With regard to the drawing objection, submitted herewith is a replacement sheet including Figure 3a with the reference designator 80. Therefore, the objection to the drawings is believed to be overcome.

Regarding the rejection under 35 U.S.C. § 112, second paragraph, attached hereto is a periodic table of elements showing different notations for the elements. As seen in this table, Sc, Y and La, for example, can be considered either a column IIIa or column IIIb element, depending on whether the IUPAC or CAS notation is used. Applicants have now amended Claims 50 and 51 to more generically refer to a "group III" element. Further, Applicants note

that while Lanthanum (La), is a group III element, Lanthanon elements may be considered a separate group of elements as shown by the Lanthanide series in the table ("Lanthanon" and "Lanthanide" can be used interchangeably). Claim 54 has been amended to replace the term "minimum thickness" with "predetermined thickness". Claim 56 has been amended to change dependency to Claim 43 in order to provide antecedent basis for the "interior fastener surface." Based on the amendments to the claims and the explanation provided above, the rejection under 35 U.S.C. § 112, second paragraph, is believed to be overcome. If, however, the Examiner disagrees, the Examiner is invited to telephone the undersigned who will be happy to work with the Examiner in an effort to derive mutually satisfactorily claim language.

Turning now to the merits, in order to expedite issuance of a patent in this case, Applicants have amended Claim 41 to clarify the patentable features of the present invention over the cited references. Specifically, Applicants Claim 41, as amended, recites an insert for deposition shield in a plasma processing system, the insert including a plug configured to fit into an opening in the deposition shield, the plug including a frontal surface and a perimeter surface. A flange is coupled to the plug and configured to couple the insert to at least one of the deposition shield and a chamber wall of the plasma processing system. The flange includes a first surface, a second surface, and an edge surface wherein the first surface includes a mating surface extending inward from the edge surface, and a recess positioned between the mating surface and the perimeter surface of the flange, the recess having a recessed surface recessed from the mating surface. A protective barrier is provided on a plurality of exposed surfaces of the insert, wherein the plurality of exposed surfaces includes the frontal surface of the plug, the perimeter surface of the plug, and the first surface of the flange excluding the mating surface.

Thus, Claim 41 has been amended to recite that the first surface of the flange includes a mating surface extending inward from the edge surface of the flange, and a recess positioned between the mating surface and the perimeter surface of the flange, the recess having a recessed surface recessed from the mating surface. As discussed in the March 30 interview, support for this limitation is provided at least by Figure 3a and text related thereto of the specification as originally filed. Therefore, the amendment to Claim 41 does not raise an issue of new matter. Further, as discussed in the March 30 interview, the recess provides a structure which allows less stringent tolerances for the insert and/or deposition shield.

In contrast to the structure now claimed in Claim 41, the primary reference to Saito et al. discloses a window device 12 including a flange 22b that fits within a receiving opening 30 of a shield member 11. As best seen in Figure 2, the flange 22b of the window device is a simple planar flange that is machined and sized to fit within the receiving opening 30. However, this flange does not include a recess as now recited in Applicants' Claim 41. The remaining secondary references do not disclose a window device at all, and can not correct the deficiencies of Saito et al. That is, none of the cited references disclose

> A flange comprising a first surface, . . . the first surface comprises a mating surface extending inward from said edge surface, and a recess position between said mating surface and said perimeter surface of said flange, said recess having a recess surface recessed from said mating surface.

Therefore, Claim 1 patentably defines over the cited references. As the remaining dependent claims in this case depend from Claim 41, these claims also patentably define over the cited references.

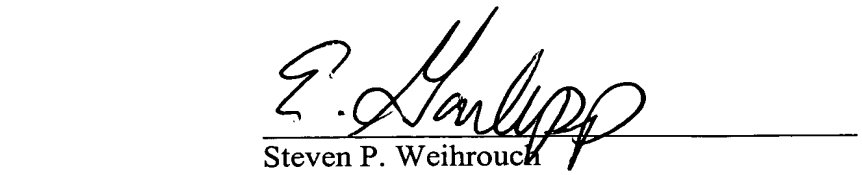
Nevertheless, as discussed in the March 30 personal interview, Applicants have now added new Claims 85-95 to further distinguish over the cited references. Specifically, Claims 85 and 86 recite the protective barrier in relation to the recess. As the cited references do not disclose a flange having a recess as discussed above, these references also do not disclose the

protective barrier provided on at least a portion or only a portion of the recess as recited in claims 85 and 86. Claims 87-90 recite further structural details of the recess, as well as details of the protective barrier and its relation to the detailed structural features. None of the cited references disclose such a recess or details at the protective barrier. Claim 91 recites that the insert, in addition to the protective barrier, includes a bare metal surface and an anodized surface. As discussed in the March 30 interview, this combination of surfaces is not disclosed in the cited references. Claim 92 recites that the protective barrier is provided in direct contact with a bare surface of the insert not having an anodization layer thereon. As discussed in the interview, this configuration provides improved bonding to the insert device, which is not taught or suggested by the cited references. Finally, Claims 93-95 recite details of the optical through holes and the protective barrier in relation thereto. The cited references also do not disclose this combination of features. Thus, new dependent Claims 85-95 provide further bases for patentability over the cited references.

Consequently, in view of the present amendment, no further issues are believed to be outstanding in the present application and the present application is believed to be in condition for formal allowance. An early and favorable action is therefore respectfully requested.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.



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